

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re Novartis and Par Antitrust Litigation

1:18-cv-04361-AKH

This Document Relates to:

All Direct Purchaser Actions

**NOTICE OF DIRECT PURCHASER CLASS PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF SETTLEMENT AND PLAN OF ALLOCATION**

PLEASE TAKE NOTICE that Direct Purchaser Class Plaintiffs hereby move for entry of an Order Granting Final Judgment and Order of Dismissal Approving Direct Purchaser Class Settlement and Dismissing Direct Purchaser Class Claims (the “Final Approval Order”). The proposed Final Approval Order is appended hereto as Exhibit 1.

The Final Approval Order provides for, *inter alia*: final approval of the Direct Purchaser Class Plaintiffs’ settlement agreement with Novartis Pharmaceuticals Corporation and Novartis AG; approval of the plan of allocation of the settlement fund; dismissal of all claims against Novartis Pharmaceuticals Corporation and Novartis AG; and approval of an award of attorneys’ fees, reimbursement of expenses and service awards for the class representatives. In support of this motion, Direct Purchaser Class Plaintiffs submit the accompanying Memorandum of Law.

Dated: March 30, 2023

Respectfully Submitted,

/s/ Bruce E. Gerstein
Bruce E. Gerstein

FARUQI & FARUQI, LLP

Kristyn Fields
685 Third Ave., Floor 26
New York, NY 10017
Tel.: (212) 983-9330
Fax: (212) 983-9331
Email: kfields@faruqilaw.com

FARUQI & FARUQI, LLP

Peter Kohn
Joseph T. Lukens
1617 JFK Blvd., Suite 1550
Philadelphia, PA 19103
Tel: (215) 277-5770
Email: pkohn@faruqilaw.com
Email: jlukens@faruqilaw.com

BERGER MONTAGUE PC

David F. Sorensen
Caitlin G. Coslett
Andrew C. Curley
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Tel: (215) 875-3000
Email: dsorensen@bm.net
Email: ccoslett@bm.net
Email: acurley@bm.net

*Attorneys for Plaintiff Rochester Drug Co-
Operative, Inc. and the Direct Purchaser Class*

KAPLAN FOX & KILSHEIMER, LLP

Robert N. Kaplan
Matthew P. McCahill
Ralph E. Labaton
850 Third Avenue, 14th Floor
New York, New York 10022
Tel: 212-687-1980
Fax: 212-687-7714
Email: rkaplan@kaplanfox.com
Email: mmccahill@kaplanfox.com
Email: rlabaton@kaplanfox.com

SPERLING & SLATER, P.C.

Joseph M. Vanek
David P. Germaine

GARWIN GERSTEIN & FISHER LLP

Bruce E. Gerstein
Dan Litvin
Deborah A. Elman
88 Pine Street Fl. 10
New York, NY 10005
212-398-0055
Email: bgerstein@garwingerstein.com
Email: dlitvin@garwingerstein.com
Email: delman@garwingerstein.com

*Attorneys for Plaintiff Drogueria Betances,
LLC Lead Counsel for the Direct Purchaser
Class*

**SMITH SEGURA RAPHAEL &
LEGER, LLP**

David Raphael
Erin Leger
Susan Segura
221 Ansley Boulevard
Alexandria, LA 71303
Tel: (318) 445-4480
Fax: (318) 487-1741
Email: draphael@ssrllp.com
Email: eleger@ssrllp.com
Email: ssegura@ssrllp.com

ODOM & DES ROCHES, LLC

Stuart Des Roches
Andrew Kelly
Dan Chiorean
Poydras Center
650 Poydras Street, Suite 2020
New Orleans, LA 70130
Tel: (504) 522-0077
Fax: (504) 522-0078
Email: stuart@odrlaw.com
Email: akelly@odrlaw.com
Email: dchiorean@odrlaw.com

HEIM PAYNE & CHORUSH LLP

Russell A. Chorush
1111 Bagby, Suite 2100
Houston, TX 77002
Tel: (713) 221-2000

55 W. Monroe, Suite 3200
Chicago, Illinois 60603
Tel: (312) 641-3200
Fax: (312) 641-6492
Email: jvanek@sperling-law.com
Email: dgermaine@sperling-law.com

*Attorneys for Plaintiff FWK Holdings, LLC and
the Direct Purchaser Class*

Fax: (713) 221-2021
Email: rchorush@hpcllp.com

*Attorneys for Plaintiff Drogueria Betances,
LLC and the Direct Purchaser Class*

ROBERTS LAW FIRM, P.A.

Michael L. Roberts
Stephanie E. Smith
20 Rahling Circle
Little Rock, AR 72223
Tel.: (501) 821-5575
Fax: (501) 821-4474
mikeroberts@robertslawfirm.us
stephaniesmith@robertslawfirm.us

*Attorneys for Plaintiff KPH Healthcare
Services, Inc., a/k/a Kinney Drugs, Inc and
the Direct Purchaser Class*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing memorandum was served on all parties of record through the Court's Electronic Case Filing and Case Management system on March 30, 2023.

/s/ Bruce E. Gerstein

Bruce E. Gerstein